

REMARKS

Claims 1-17 are pending in this application. Claims 1, 3 and 9 are independent. In light of the amendments and remarks included herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1-3, 7-9, 13, 14, 16 and 17 under 35 U.S.C. §103(a) as being unpatentable over *Greer et al.* (USP 5,959,622) in view of *Katsuhiro* (JP 04098996) and further in view of *Pine* (USP 6,714,260); claims 1, 3 and 9 under 35 U.S.C. §103(a) as being unpatentable over *Koide* (JP 2000134513) in view of *Katsuhiro* and further in view of *Pine*; claim 4 under 35 U.S.C. §103(a) as being unpatentable over *Greer et al.* in view of *Katsuhiro* and *Pine* and further in view of *Kiyokawa* (USP 6,204,877); claims 6, 10 and 12 under 35 U.S.C. §103(a) as being unpatentable over *Greer et al.* in view of *Katsuhiro* and *Pine* and further in view of *Yokota et al.* (USP 5,847,662); claim 5 under 35 U.S.C. §103(a) as being unpatentable over *Greer et al.* in view of *Kiyokawa*, *Katsuhiro* and *Pine* and further in view of *Yoshizawa et al.* (USP 4,802,201); and claim 11 under 35 U.S.C. §103(a) as being unpatentable over *Greer et al.* in view of *Katsuhiro*, *Pine*, and *Yokota et al.* and further in view of *Anderson* (USP 6,233,016). Applicant respectfully traverses these rejections.

Applicant wishes to thank the Examiner for indicating that claim 15 includes allowable subject matter.

Claim Rejections – 35 U.S.C. §103 – Greer et al./Katsuhiro/Pine

In the outstanding Official Action, the Examiner combines the teachings of *Katsuhiro* and *Pine* with the teachings of *Greer et al.* In support of his rejection of the claims, the Examiner admits that *Greer et al.* fails to teach “an oscillation section that stops the pausing of the carrier frequency when the image is being captured by the information recording device.” The Examiner relies on the teachings of *Katsuhiro* to cure the deficiencies of the teachings of *Greer et al.* asserting “*Katsuhiro* teaches stopping the output of a clock signal for an oscillation circuit when there is no change in an input signal to an external device or transmission line and starting the output of the clock signal when there is any change in order to reduce the power consumption due to a dark current.” Applicant respectfully disagrees with the Examiner’s interpretation of the claim language and further disagrees with the Examiner’s interpretation of the cited references.

1. The Examiner is misinterpreting the plain language of the claim.

Applicant respectfully submits that the Examiner is mischaracterizing the claimed invention. The invention set forth in claim 1 recites, *inter alia*, “wherein said **controller causes said carrier generating section to pause the generation of the carrier** when the information recorder receives in instruction to capture an image.” In contrast, and opposite to what is recited in the claim, the Examiner interprets this claim language to recite “an oscillation section that **stops the pausing** of the carrier frequency when the image is being captured by the information recording device.” Applicant’s claimed invention clearly recites “**controller causes said carrier generating section to pause the generation of the carrier** when the information recorder

receives in instruction to capture an image.” In other words, upon receipt of the instruction to capture an image, the carrier pauses the generation of the carrier.

Based upon the plain language of the claim, Applicant respectfully submits that the Examiner’s interpretation of the claim as meaning “an oscillation section that stops the pausing of the carrier frequency when the image is being captured,” is wholly improper. As such, it is respectfully requested that the outstanding rejection be withdrawn.

2. The cited art fails to teach or suggest all of the claim elements.

The Examiner asserts that “*Katsuhiro* teaches stopping the output of a clock signal for an oscillation circuit when there is no change in an input signal to an external device or transmission line and starting the output of the clock signal when there is any change in order to reduce the power consumption due to a dark current.” However, Applicant respectfully submits that *Katsuhiro* teaches the exact opposite of the claim element. As recited in the Abstract of *Katsuhiro*, “monitor circuits 39, 40 (input state monitor means and control means) detect a change in an input signal from switches SW0-SW7 (external devices) or a change in an input signal (a signal for a tail lamp and for driving a door lock solenoid) from a communication bus line L (transmission), and when the input signal of the switches SW0-SW7 or the communication bus line L has no change, the output of the clock signal for an oscillation circuit 38 is stopped and when there is any change in the input signal of the switches SW0-SW7 or the communication bus line L, the output of the clock signal for the oscillation circuit 38 is started.”

As can be seen from the teachings of *Katsuhiko*, when there is no input, the oscillation is stopped. This teaching is the exact opposite of the claim language. Claim 1 clearly recites that when input has changed (received input to capture an image), the oscillation is stopped.

As such, Applicant respectfully submits that *Katsuhiko* fails to cure the deficiencies of the teachings of *Greer et al.* As *Pine* fails to teach or suggest this claim element, Applicant maintains that the Examiner has failed to establish *prima facie* obviousness by failing to provide references, either alone or in combination, which teach or suggest all of the claim elements.

As the Examiner relies on these teachings to support his rejection of all of the independent claims, Applicant respectfully submits that the Examiner's rejections are improper and should be withdrawn.

Claim Rejections - *Koide/Katsuhiko/Pine*

The Examiner alternatively rejected claims 1, 3 and 9 under 35 U.S.C. §103 as being unpatentable over *Koide* in view of *Katsuhiko* and *Pine*.

The Examiner relies on *Katsuhiko* to cure the deficiencies of *Koide* asserting *Katsuhiko* teaches "stopping the pausing of the carrier frequency when the image is being captured by the information-recording device." However, for the reasons set forth above, Applicant respectfully submits that the Examiner is incorrectly interpreting the claim language and, further, *Katsuhiko* teaches the opposite of the claim element.

As *Katsuhiro* fails to cure the deficiencies of the teachings of *Koide*, and, as *Pine* fails to teach or suggest this claim element, Applicant maintains that the Examiner has failed to establish *prima facie* obviousness by failing to provide references, either alone or in combination, which teach or suggest all of the claim elements. It is respectfully requested that the outstanding rejection be withdrawn.

Conclusion

In view of the above remarks, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet, Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 

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